

MEETING #31 - August 28

At a Regular Meeting (#2) of the Madison County Board of Supervisors on August 28, 2018 at 4:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chairman
Jonathon Weakley, Vice-Chairman
Kevin McGhee, Member
Charlotte Hoffman, Member
Amber Foster, Member
Jack Hobbs, County Administrator

Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum/Adopt Agenda

Chairman Jackson advised that all a quorum was present.

Chairman Jackson advised that one (1) applicant for the County Attorney vacancy has been removed, and questioned if the Board would need to initiate the following amendment(s):

- Item 5b EMS Report & Staffing Report
- Item 5a (Radio Project Consulting) to move right before Item 3
- Item 9e County Signs
- Item 12 Legal - Opioid Lawsuit

Supervisor Foster moved that the Board adopt the Agenda as amended, seconded by Supervisor Hoffman. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

2. Closed Session [Personnel (County Attorney Interview)]

a. Closed Session: On motion of Supervisor Weakley, seconded by Supervisor Hoffman, the Board convened in a closed session pursuant to Virginia Code Section 2.2-3711(A)(1) for discussion on *prospective candidates for appointment as the County Attorney, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body*: *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

b. Motion to Reconvene in Open Session: On motion of Supervisor Weakley, seconded by Supervisor Hoffman, the Board reconvened in open session, with the following vote recorded: *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

c. Motion to Certify Compliance: On motion of Supervisor Weakley, seconded by Supervisor McGhee, the Board certified by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code 2.2-3711(A)(1) and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

No action was taken as a result of the closed session. Action will be taken at the end of the 6:00 p.m. session

On motion of Supervisor Foster, seconded by Supervisor Hoffman, Chairman Jackson adjourned the meeting until 6:00 p.m. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

6:00 p.m.

PRESENT: R. Clay Jackson, Chairman
 Jonathon Weakley, Vice-Chairman
 Kevin McGhee, Member
 Charlotte Hoffman, Member
 Amber Foster, Member
 Jack Hobbs, County Administrator
 Mary Jane Costello, Asst. County Administrator/Finance Director
 Frank Thomas, County Attorney
 Jacqueline S. Frye, Deputy Clerk

Chairman Jackson reconvened the meeting of the Madison County Board of Supervisors.

Adopt Agenda

The following amendments were made to today's Agenda document:

- *Item 5b (EMS Report & Staffing Report)*
- *Item 5a (Radio Project Consulting to be discussed before Item 3)*
- *Item 9c (Signs)*
- *Item 12 (Legal - Opioid Lawsuit)*

*5. County Departments

a. Radio Project Consulting: Brian Gordon, Director of Emergency Communications, was present and Highlights from Phase II focused on the following deliverables:

- Technical Specification Document
- Proposal Evaluation Criteria
- Pre-Proposal Conference Assistance and Technical Addenda
- Proposal Evaluation, Questions and Summary
- Attendance at Oral Presentations and Vendor Interviews/Questions Support
- Recommended Revisions to the Proposed Acceptance Test Procedure, Vendor Statement of Work, and Comments or Typical Verbiage Regarding the System Purchase Contract
- Comments and Revisions to the Acceptance Test Procedure, Vendor Statement of Work and System Purchase Contract
- A List of Funding Sources Along with Applications as Applicable (Optional)

Depending on the services engaged, grant research and opportunity identification or actual grant application completion and writing support, costs can vary. Much of the variance is related to the grant offer (i.e. federal grant programs being the more complex and grants from foundations or corporations being less complex), the 'budgetary only' costs would consist of:

- Research Grant Funding Opportunities: \$500-\$750
- Grant Application / Proposal Writing:
- Foundations/Corporations: \$3500-\$5000
- State/Federal Grants: \$7000-\$8000

The cost of the proposed system is estimated to be \$37,633.00 (without contingency) plus \$4,000.00 for grant funding assistance. Furthermore, it was noted that the existing radio system has, at times, demonstrated very poor perception and inaudible communication from law enforcement personnel, which is a safety concern.

Comments:

- *Supervisor Foster: Questioned what will transpire in the event Greene County moves forward and Madison doesn't; the public was also advised that Madison County currently has a joint task force with Greene County; questioned comments (from 2008) concerning purchase of the current radio system*
- *Supervisor Weakley: Questioned the procurement process (for proposed Motorola equipment), sole source, and whether all criteria involved will be met.*

Mr. Gordon suggested that:

- ❖ The County remain parallel with the proposed radio system to allow Madison & Greene to work co-jointly,

And advised that:

- ❖ The procurement process (to include sole source purchasing) is something that will be assessed later
- ❖ Federal government required narrow-banding in 2008
- ❖ The radio system purchased in 2009 was a 'quick solution' at that time
- ❖ The current system being proposed is a public safety grade system and will be an asset for the County overall

Supervisor McGhee moved that the Board authorize staff to accept a Black & Veatch proposal involving \$37,633.00 for consulting (that will result in the specification development, procurement and proposal review phases of the public safety radio project and a \$4,000.00 contingency (that would fund grant application assistance if needed), seconded by Supervisor Hoffman.

Discussion:

- *Chairman Jackson: Noted that available grant funds could provide a substantial savings to the County well above the proposed contingency amount (of \$4,000.00)*

Mr. Gordon noted that in the event that the \$4,000.00 in funding isn't provided from Black & Veatch, alternative grant funding sources will still be researched.

Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).

3. Public Comment:

Chairman Jackson opened the floor for public comment.

The following individual(s) provided comment(s):

- Joe May: Verbalized support of the proposal to change the location of the Etlan voting precinct (from Etlan Fire Station to the Etlan Methodist Church); proposed location will provide heat, A/C and much needed parking

With no further comments being brought forth, Chairman Jackson closed the public comment opportunity, and opened the floor of the public hearing on the Change for the Etlan Voting Precinct Location.

Public Hearing (Change for Etlan Voting Precinct Location)

Frank Thomas, County Attorney, provided a brief overview of the proposal to change the voting site of the Etlan voting precinct from the old Etlan rescue squad building to the Etlan Methodist Church. Under the Code of Virginia, this proposal must be advertised and initiated by Ordinance. As a result of the United States Supreme Court, localities no longer have to attain federal

approval in order to initiate a location change. In closing, the Board may adopt the proposed Ordinance and notification will be forwarded to the State of Virginia to approve the location. Notice must be provided to registered voters at least sixty days (60) prior to the election process.

The following individuals provided comments during the public hearing:

- Bonita Burr and Susan Spencer (Madison Electoral Board) were present to answer any questions pertaining to tonight's proposal.
- Fay Utz: Thanked the Hastings Family for providing efforts for the upkeep of the existing Etlan voting precinct; encouraged the Board to approve the proposed change in venue - location will provide heat, A/C, nice restrooms and ample parking
- Clint Hyde: Suggested that signage be posted at the old Etlan voting precinct for the public

In closing, Ms. Burr noted that all registered voters will receive new voting cards with updated location, and signage will also be erected to advise all Etlan voters of the change in the precinct venue.

With no further comments being brought forth, Chairman Jackson closed the public hearing.

Supervisor McGhee moved that the Board approve Ordinance #2018-5 [To Change the Polling Place for the Etlan Precinct] as presented, seconded by Supervisor Foster.

Discussion:

- *Supervisor Weakley: Advised favor of the proposed change; new location will be safer for the public and elections personnel; accolades to the Hastings Family for keeping the current voting location in order*

Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).

4. Constitutional Officers

Commonwealth Attorney: Clarissa Berry, Commonwealth Attorney, was present and advised that the Sheriff's Office is providing training for parents for the "ALICE" training; Wade Gelbert, Assistant Commonwealth Attorney, and an investigator will also be attending a joint training event scheduled in October.

Sheriff's Office: Erik Weaver, Sheriff, was present and advised that his office has applied for another grant for an individual to work in the school system; anticipate that the County will be advised by October 1, 2018 as to whether application of the funds is approved.

5. County Departments

b. EMS Report & Staffing Report: Lewis Jenkins, Director of Emergency Medical Services, was present and referred to an email regarding the Madison County Rescue Squad's request for additional hours from paid EMS personnel, due to the loss of several volunteers. Additionally, he suggested that due to his upcoming retirement, that the Board promote from within the department, and also allow him to start the process to fill open position with part-time overtime for a short period of time, starting Thursday, if approved. The aforementioned suggestion will:

- Allow that all calls are answered
- Allow for adequate staff to be on hand

Furthermore, he suggested that the new Director be allowed the opportunity to make future suggestions after assessing the current process.

Comments:

- *Chairman Jackson: Noted that the proposed recommendation provided is fair on a short-term basis; referred to the fact that a shortfall of volunteers will cause paid EMS staff to cover the shortfall; suggested that a meeting be held between the Board of Supervisor and the Madison Rescue Squad to asses long-term planning; thanked Mr. Jenkins for his service to Madison County*
- *Supervisor Weakley: Accolades to Mr. Jenkins for his service and proficiency; agreed with the recommendation to utilize full-time overtime to ensure that sufficient coverage is provided to the citizens; noted that volunteers are aging out; agreed that a meeting between the Board and rescue squad is necessary to attain input and develop long-range plans for the future*

Mr. Jenkins noted that this recommendation could cover about three (3) months and suggested that the Board assess this area more during the budget process. In closing, he noted that additional funding was budgeted for part-time overtime in the departmental budget (due to overruns during the last fiscal year), and also anticipates a reduction in costs (starting salary for the new Director and/or Lieutenant).

The County Administrator noted that the volunteer pool is waning, regulations are increasing, and citizens expect emergency services to come when called whether it's volunteers or paid staff. The County has to cover the shortfall in the event there isn't enough volunteer staff in place to provide sufficient assistance. In closing, he recommended that the County accept the recommendation (presented by the Director of Emergency Medical Services) to utilize part-time overtime to provide coverage. The decision to hire additional emergency services personnel must be a decision of the Board.

Supervisor McGhee moved that the Board accept the propose recommendation (by Lewis Jenkins, Director of Emergency Medical Services) to accept part-time overtime to cover hours (requested by the Madison County Rescue Squad), seconded by Supervisor Foster. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

- *Chairman Jackson: Suggested the Board designate two (2) individuals to meet with the Madison County Rescue Squad volunteers*

After discussion, it was the consensus of the Board to designate Chairman Jackson, Supervisor Foster and the County Administrator to meet with Madison County Rescue Squad volunteer staff.

Mr. Jenkins suggested the meeting be held with the Madison County Rescue Squad's Operations' Officers first.

Before closing, Mr. Jenkins referred to a recent accident in the vicinity of his home, where the individual's life was saved as a result of his ability to communicate effectively (by portable radio) with emergency services personnel. In closing, he advised that all County emergency personnel, law enforcement personnel, and state agency personnel have worked very well together during every emergency situation that has involved the County and reiterated the fact that the County's system 'does work.'

Schools: Robert Chappell, Madison School Board, was present and referred to the recent AliCE training that was productive and informative. Accolades were provided to the Sheriff's Department for providing the training to school personnel.

Rappahannock Juvenile Detention Center: Robert Chappell, County RJDC representative, advised that the RJDC Finance Committee meeting will be held soon; he plans to meet with Mary Jane Costello, Director of Finance tomorrow to discuss ideas. It's also anticipated that County costs for the juvenile facility will increase for the upcoming fiscal year.

➤ *Supervisor Weakley: Presented an invitation to the new School Superintendent to attend a future Board meeting*

Madison County Planning Commission: Fay Utz reported that the Commission is working on County ordinances and residential solar systems; good attendance, discussion and participate has been had with the sub-committee and regular commission meetings. All are welcome to attend the Commission's workshop sessions.

Rappahannock Electric Cooperative: Oliver Price, of the Rappahannock Electric Cooperative, was present and advised that the REC has been working hard to keep the electricity in working order during the many storms that have been transpiring in the region. The REC appreciates the understanding and assistance of all its customers.

Taste of the Mountains Festival: Erik Weaver, Sheriff, reminded all of the annual Taste of the Mountains Festival scheduled for Saturday, September 1, 2018 from 9 a.m. to 4:00 p.m. Washington Street will be open to anyone who has a need to visit Autumn Care facility.

6. Committees or Organizations:

7.. Finance

a. Claims

Post Year 2018

\$477.20 (8'28'18)

Post Year 2018 Total: \$477.20

FY19

\$43,419.52 (8'24'18)

\$81,933.94 (8'28'18)

FY19 Total: \$125,353.46

Highlights:

- \$71,000.00 (Plow & Hearth) [funding hasn't yet been paid to the entity]
- \$14,800.00 (Four for Life [funding hasn't yet been received for the rescue squad]

County is also awaiting some funding for Juvenile Detention

Questions on expenditure(s) for:

- ❖ Target Solutions Learn (Per Mr. Jenkins, this is for EMS computer-based software)
- ❖ Madison Fair Board (\$85.00) (The Director of Finance will research this expense)

Post Year 2018

Supervisor Foster moved that the Board approve FY2018 Post Year claims totaling \$477.20 as presented, seconded by Supervisor Hoffman. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0). Nay: (0)*

FY2019

Supervisor Hoffman moved that the Board approve FY2018 Claims totaling \$125,353.46 as presented, seconded by Supervisor McGhee. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

\$168,175.12 (7'18'18)

\$ 75,795.09 (7'24'18)

\$243,970.21 (Total)

Concerns were verbalized as to why the above referenced payment of funds haven't been received by Plow & Hearth.

The County Attorney, explained that the agreement for Plow & Hearth has been forwarded to their legal counsel for review, with no response having been received to date. The payment of funds will come from the Madison IDA. The original financial document states that 'the County will make the payment', and that the payment of these funds by the Madison Industrial Development Authority (to Plow & Hearth) will satisfy the County's Obligation. In closing, it was noted that due to this matter still not being closed, it presents a liability for the County.

- *Supervisor Weakley: Questioned the timeline involved and whether the funding is a part of the close-out process (from the State's perspective)*

The County Administrator advised that Mr. Thomas and Ms. Gardner have reached out to several contacts at Plow & Hearth with no success. Additionally, it was reported that before the process was presented to the Board for approval, letters were received from the State and Commissioner of the Revenue to advise that all targets have been met prior to the request being presented to the Board for approval.

b. Budget Supplements:

#3 - Supplemental Appropriation #03_08282018 - \$1,894.00: The Director of Finance advised that the supplemental request is for Emergency Management's budget as per an insurance claim for damage to a vehicle.

Supervisor Foster moved that the Board approve Supplemental Appropriation #03_08282018 totaling \$1,894.00, seconded by Supervisor McGhee. Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).

#4 - Supplemental Appropriation #04_08282018 - \$53,906.99: The Director of Finance advised that request is to appropriate funds from the Sheriff and Commonwealth Attorney's asset forfeiture accounts for FY19; it was requested by both department during the last meeting that these funds be appropriate for all the funds at once.

Supervisor Weakley moved that the Board approve supplemental appropriation #04_08282018 totaling \$43,905.99, seconded by Supervisor McGhee. Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).

#5 - Supplemental Appropriation #05_08282018 - \$10,317.00: The Director of Finance advised that today's request is to appropriate additional funds to the Victim-Witness program based on final FY19 funding from DCJS.

Supervisor Foster moved that the Board approve supplemental appropriation #05_08282018 totaling \$10,317.00, seconded by Supervisor Weakley. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

c. FY18 General Fund Budget Report: The Finance Director provided a document to show an analysis of the General fund projection and net of interfund transfers for FY2018 that reflected:

- Final budget
- Final estimated actual
- Actual other - under/over budget

Supervisor McGhee moved that the Board approve the encumbrances from FY2018 totaling \$159,170.40, as presented, seconded by Supervisor Foster. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

Supervisor Foster moved that the Board approve FY19 Supplemental Appropriation #01_07242018 for the EMS Department in the amount of \$76,784.24 as presented, seconded by Supervisor Hoffman. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

8. Minutes:

a. August 14, 2018 (Meeting #30)

Chairman Jackson called for corrections, additions or approval of the minutes.

Supervisor McGhee moved that the Board approve August 14, 2018 minutes (#30) as presented, seconded by Supervisor Foster
Aye: Jackson, Weakley, Foster. Absent: Hoffman. Abstain: McGhee. Nay: (0).

9. Old Business:

a. Report on the Criglersville School Property: Chairman Jackson advised that meetings have been held. A decision has been made that the option of renovating the facility isn't viable; therefore, pursuit is being sought for:

- 1) flea market/auction to liquidate antiquities (October 2018 that coincide with the Graves' Apple Harvest Festival) at the site
- 2) After the sale, a public hearing/community meeting will be scheduled to advise the public of proposed plans (October 9th)
- 3) Future plans are now focusing on placing the property for sale for six (6) months [unless the community provides other viable options]
- 4) If there are no viable options, there is a potential for demolition of the site and develop a park at the property

The County Administrator advised that there is much work to be done between now and October 9th.

Comments:

- *Supervisor Weakley: Questioned if liquidation of antiquities (at CES) can be accomplished as a 'yard sale/flea market' event; suggested the Board assess what can be done to allow the dedicated historical monument (to the families displaced by the park) to remain in place for folks to enjoy*

The County Attorney advised that there is much to be done before the aforementioned event can transpire, as these items are considered 'surplus property', and there are no exceptions.

The County Administrator advised that the school system usually hires an auctioneer to conduct sales of their surplus property.

After discussion, it was the consensus of the Board to research what methodology the school system utilizes to sale their surplus property.

- *Supervisor McGhee: Questioned whether the potential sale of the property will change what's in place for the Madison Historical Society*
- *Chairman Jackson: Noted that a potential buyer would like the Madison Historical Society to leave the property; the County has already granted an easement to the Madison Historical Society; the property consists of three (3) parcels; feels there's a potential to initiate a boundary adjustment*

9. New Business:

b. Structure Numbering Ordinance: Report on the Criglersville School Property: The County Attorney advised that based on recent discussions on this matter, a review of the existing Ordinance contains phrasing that ties the 'numbering' process to:

- A telephone or
- An occupied structure

It's felt the best way to accommodate an amendment(s) is to open up the existing Ordinance to allow the County some latitude to assign other numbers. Additionally, it was advised that any initiated amendment(s) be done by Resolution and include verbiage to allow any future changes as the need arises. If tonight's proposal is accepted, the request will be advertised for public hearing by the end of September 2018.

Comments:

- *Supervisor Weakley: Questioned if there was a vote on this matter at a previous meeting*
- *Chairman Jackson: Feels this issue will become more problematic*

The County Attorney advised that no action was taken, but discussion about initiating proposed amendment(s).

Lewis Jenkins, Director of Emergency Medical Services, was present and advised that the current County GIS may not respond to a renumbering of structures, thereby causing problems when emergency services personnel is trying to find a destination. In closing, he noted that there should never be two (2) identical numbers (for structures) in the County GIS.

The County Administrator advised that tonight's proposal calls for the Board to pass an ordinance that will allow the County the authority to have the 'policies', which can be adopted and/or amended at any meeting.

After discussion, it was the consensus of the Board to request that the County Administrator talk with Brian Gordon, Director of Emergency Communications, to assess whether tonight's proposal could be a viable option, and if so, the County should move forward with advertising the proposal for a public hearing.

c. Vehicle & Driving Policy: The County Attorney advised that most of the revision to the vehicle/driving policy is for clarification and includes more precise detail. The policy pertains to County employees and volunteers that driving County vehicles. Additionally, the policy also clarifies that there are two (2) exceptions when operating County vehicles:

6-7.3.2. Employees' property and equipment. Employees shall perform their job duties utilizing equipment and materials provided by the County. ~~Use of employees' own equipment and materials is discouraged, except for de minimis, incidental use approved by employee's supervisor.~~ No employee shall utilize his own equipment, materials or supplies in the performance of County duties in excess of de minimis, incidental use, without advance written approval of his supervisor. At the time of such approval, agreement must be reached as to the terms and conditions upon which such privately-owned equipment will be utilized in performance of County functions, including compensation, liability, maintenance, wear and tear, etc.

Erik Weaver, Sheriff, advised that the Sheriff's Departmental vehicle/driving policy is much more in depth.

The County Administrator advised that much effort has put into the proposed policy, and feels the policy is ready to adopt, at the Board's discretion.

Comments:

- *Supervisor Hoffman: Questioned if the County's insurance provider requires that driving records be attained for all insured motorists*

The County Administrator noted that when individuals are hired, background records are checked.

Clarissa Berry, Commonwealth Attorney, questioned if the proposed policy has a revision to request employees to report any driving infractions (i.e. DUI, DWI).

The County Administrator advised that (in his opinion), the proposed policy is well written; the Board was encouraged to adopt the policy as presented.

Mr. Thomas noted that the proposed policy does contain a provision to deal with the impact of specific driving abilities; it's felt that something could be included to list various types of offenses and the time frame in which any conviction(s) were issued to

any drivers. In closing, it was noted that the standards are minimal, and that enforcement of the policy will be left to the Department supervisor.

Lewis Jenkins, Director of Emergency Medical Services, suggested the Board approve the proposed policy and allow representatives at Springstead, Inc., to review the policy and assess that best practices are in place.

Supervisor McGhee moved that the Board amend the Madison County Personnel Policy by amending §607.3. (Use of property and equipment) and adding §5.7.5 (Driving and vehicle policy) as proposed, seconded by Supervisor Weakley. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

d. Facilities Planning & Health Department Lease: The County Administrator advised of funding budgeted to study:

- Moving County offices into the Admin Building
- Chamber Building
- Madison Arcade
- Demolition of the Criglersville School

And:

- Ideas about the space at the Madison Health Department are being discussed.

In the event the Board doesn't put the Madison Health Department on notice (of the County's possible intent) by 8/3/18, nothing can be done with the facility until November 2019. Representatives from the Madison Health Department have advised acceptance of the termination of the lease in the event the County would consider waiving certain rights but are requesting to be allowed to remain in the building until an alternative space can be found. The Board was asked:

- What to do about the Madison Health Department as a tenant
- How fast does the County want to move forward with the building study project(s)

Mr. Thomas verbalized concerns about the email that has been submitted by the Madison Health Department and referred to the fact that it's highly unlikely that an alternative space will be found by November 2018, based on state procurement guidelines. The least agreement deals with the State of Virginia (Richmond and the VDH Office located in Warrenton, VA. Should the County intend to do something with the existing space prior to November 30, 2018, notice must be given by August 31, 2018 and mailed by certified letter. It was also advised that the County could establish conditions to include:

- ❖ That the existing lease can be terminated once appropriate notice is relayed
- ❖ Establish conditions upon which the space can be occupied

And

- ❖ Waive rights based upon specific conditions

Additional concerns focused on:

- ❖ Whether the monthly rent and other obligations (by the tenant) will be met
- ❖ Whether other obligations will be met
- ❖ Whether occupancy (by the Madison Health Department) will be conditional

As well as the fact that:

- ❖ Notice to vacate must be done by certified mail and mailed by the end of August 2018
 - Time frame involved (90 days or 6 months)
 - Relocation of the Madison Free Clinic

Discussions focused on:

- ❖ The amount of necessary planning (to relocate County departments)
- ❖ Costs involved with renovation of the health department building vs. the administration building
- ❖ Providing any negative impact upon the citizens (in the event the health department doesn't find an alternative location)
- ❖ The County could initiate a short-term lease for the Madison Free Clinic until an alternative space can be found
- ❖ There being an inconvenience in the event the health department relocates to Warrenton

The County Administrator suggested that the County:

- Put the Madison Health Department on notice
- Cancel the existing lease
- Give health department staff the option to remain in place with three (3) months' notice to perform necessary work

Supervisor Weakley moved that the Board approve the recommendation made by the County Administrator concerning the lease agreement with the Virginia Department of Health, seconded by Supervisor Foster. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

The County Administrator asked for clarification that it's the Board's priority to proceed with studying the administration building, health department, chamber and the arcade.

Comments:

- *Supervisor Weakley: Noted that identification will be needed to indicate how much space (the County) will need (existing and/or future footprint)*

After discussion, it was the consensus of the Board to request the County Administrator to provide a proposal (i.e. necessary space, funding, etc.) at a future meeting session.

- *Supervisor Foster: Clarified that the building will be the Visitor's Center (not the Chamber)*

e. Signs: Supervisor Hoffman provided photographs of the proposed design of the "Welcome" signs. All information will be reviewed with Tracey Gardner, Director of Economic Development & Tourism to attain input. Printing on the rear of the signs can be done for an additional fee (above the \$1,800.00 for one-side printing) and will be installed by the vendor.

After discussion, it was noted that the residency office (of VDOT) will need to be contacted regarding land use applications for the installation of signs, and to perhaps contact Greene County to assess what process they utilized to have their welcome signage put into place.

10. New Business

a. Surplus Vehicle List: The County Administrator referred to the number of surplus vehicles the County will soon have a result of recent departmental vehicle purchases. The Chairman has asked that the potential for reusing these vehicles be initiated instead of selling them. It was also noted that Madison Parks & Recreation has requested to use the pick-up and have also requested an item from the old Criglersville School.

The Interim County Attorney referred the fact there is a process concerning the disposal of surplus property in a locality.

After discussion, it was suggested that the Madison County School system be asked as to the process that they utilize for disposal of surplus items.

b. Report on Equal Employment Opportunity Plan Requirement: The County Administrator advised that the EEO Plan requirement is a condition of several grants funded by the Department of Justice through the state. At this time, there are issues with finding a good model to follow. Today's packet contained a list of core items and statistics for review. In closing, he noted that the County is required to track specific data (i.e. sex, gender, race, ethnicity, job class, etc.) for all County employees. Representatives at Springstead, Inc., have been asked to provide advisement on this requirement. In closing, it was noted that funding is received (from the State) for various programs (i.e. School Resource Officer, Victim-Witness). The County was encouraged to establish all necessary criteria to meet the requirements.

Comments from the Board pertained to:

- The need to adhere to EEO requirements
- County does receive substantial grant funding for various positions (School Resource Officer(s), Victim-Witness, etc.)
- Specific questions aren't allowed to be asked of potential employees

In closing, it was the consensus of the Board to request that representatives from Springstead, Inc. be tasked to assess the EEO requirement concerns.

CSB: Supervisor Foster noted that the RRCSB is moving in the right direction; positive changes are being initiated

11. Public Comment

Chairman Jackson opened the floor for public comment. The following individual(s) provided comment.

- Jennifer Hayes (Victim-Witness): Comments pertained to the EEOP requirements have been a qualification each year for the grants; certification has just been required; advised that the initiative isn't new, but has been brought to the forefront at this time
- Erik Weaver (Sheriff): Concurred with aforementioned comments (by Ms. Hayes) pertaining to the EEOP requirements
- Mary Jane Costello (Director of Finance): Comments pertained to the EEOP requirements and the fact that the EEOP requirements
- Clint Hyde: Comments pertaining to whether houses can or can't be renumbered; noted that he didn't want his residence renumbered

With no further comments being brought forth, Chairman Jackson closed the public comment opportunity

12. Closed Session:

a. Closed Session: On motion of Supervisor Weakley, seconded by Supervisor Hoffman, the Board convened in a closed session pursuant to:

1. *Virginia Code Section 2.2-3711(A)(1) for discussion and consideration of prospective candidates for promotion to the Director of Emergency Medical Services position and for discussion on prospective candidates for appointment as the County Attorney, and Pursuant to:*
2. *Virginia Code Section 2.2-3711(A)(7) for consultation with legal counsel and briefings by staff members or consultants to actual or probably litigation on injuries incurred by the County with respect to the sales and marketing of opioid pain killers, and discussion of litigation brought against the Board by Robert Legge, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.* *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

b. Motion to Reconvene in Open Session: On motion of Supervisor Weakley, seconded by Supervisor McGhee, the Board reconvened in open session, with the following vote recorded: *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

c. Motion to Certify Compliance: On motion of Supervisor Weakley, seconded by Supervisor Hoffman, the Board certified by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code 2.2-3711(A)(1) and Virginia Code 2.2-

3711(A)(7) and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

As a result of closed session:

Supervisor Weakley moved that the County retain the firm of Kaufman and Canoles and the affiliated firms to investigate and possibly pursue claims the County may have with respect to the sale and marketing of opioid pain-killers, and to authorize the Chairman to execute an agreement to that effect, seconded by Supervisor Hoffman. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

13. Information/Correspondence

12. Adjourn or continue

With no further action being required, Supervisor Foster moved that the meeting be adjourned.

Discussion: Supervisor Weakley clarified that the meeting will need to be 'continued.'

Supervisor Foster amended her motion to continue the meeting until 6:00 p.m. on September 5th, seconded by Supervisor Hoffman. *Aye: Jackson, Weakley, McGhee, Hoffman, Foster. Nay: (0).*

R. Clay Jackson, Chairman
Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors

Adopted on: September 11, 2018

Copies: Board of Supervisors, County Attorney & Constitutional Officers



Agenda
Regular Meeting
Madison County Board of Supervisors
Tuesday, August 28, 2018 at 4:00 p.m.
County Administration Building, Auditorium
414 N Main Street, Madison, Virginia 22727

Call to Order at 4:00 p.m.

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum / Adopt agenda
2. Closed Session - Personnel (County Attorney Interviews)

Reconvene in Open Session (6:00 p.m.)

3. Public Comment
 - a. Public Hearing: Change of Etlan Polling PlaceCounty Attorney Thomas
4. Constitutional Officers
5. County Departments
 - a. Radio Project ConsultingDirector of Emergency Communications Gordon

- b. **EMS.....Director of Emergency Medical Services Jenkins**
- 6. Committees or Organizations**
- 7. Finance:** Director of Finance/Assistant County Administrator Costello
- a. Claims
- b. Budget Supplements
- c. FY18 General Fund Budget Report
- 8. Minutes**
- a. August 14, 2018 Meeting
- 9. Old Business**
- a. Report on the Criglersville School Property.....Supervisor Jackson
- b. Structure Numbering OrdinanceCounty Attorney Thomas
- c. Vehicle and Driving Policy.....County Attorney Thomas
- d. Facilities Planning and Health Department LeaseCounty Administrator Hobbs
- e. **Signs..... Supervisor Hoffman**
- 10. New Business**
- a. Surplus Vehicle ListSupervisor Jackson
- b. Report on Equal Employment Opportunity Plan Requirement.....County Administrator Hobbs
- 11. Public Comment**
- 12. Closed Session [2.2-3711(A)(7) Consultation with Legal Counsel....]**
- [2.2.3711(A)(1) Personnel (EMS Director Interviews, County Attorney Selection)**
- 13. Information/Correspondence**
- 14. Adjourn or Continue**
- AMENDMENTS/ADDITIONS DENOTED IN ROYAL BLUE WITH YELLOW HIGHLIGHT**